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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/508,952

03/28/2005

Pablo Vilato

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22850

7590

06/16/2006

OBLON, SPIVAK, MCCLELLAND, MAIER & NEUSTADT, P.C.
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EXAMINER

PAIK, SANG YEOP

ART UNIT

PAPER NUMBER

3742

DATE MAILED: 06/16/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/508,952

Applicant(s)

VILATO ET AL

Examiner

Sang Y. Paik

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 12 May 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 14-26 is/are pending in the application.
- 4a) Of the above claim(s) 23-26 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 14-22 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>10/4/04</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Election/Restrictions

1. Applicant's election with traverse of Group I in the reply filed on May 12 is acknowledged. The traversal is on the ground(s) that there is no undue burden to examine all claims. This is not found persuasive because each group of inventions having inventive concepts that are distinct from each other would make examination undue burden to the examiner, and such examination would further require separate searches based on different inventive concepts.

The requirement is still deemed proper and is therefore made FINAL.

Claim Objections

2. Claim 21 is objected to because of the following informalities: the claims reads as though the smooth region is with pegs, but since the smooth region is the surface without pegs, the claim should read "without pegs" on line 2 . Appropriate correction is required.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 14-16 and 20 are rejected under 35 U.S.C. 102(b) as being anticipated by Gressenich et al (DE 196 33 706).

Gressenich shows the glass-ceramic plate claimed including a surface provide with pegs (3), at least one free strip smooth region (2) wherein a blurred view of the region is improved, the smooth region is parallel to the another surface of the plate, and is located in the plane of the peg

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or in a plane of the bottoms of hollow regions between the pegs wherein the pegs having the height within the claimed height.

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 17 and 22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gressenich et al (DE 196 33 706) in view of Goetz et al (US 5,717,189) or Hoffmann (US 5,155,338).

Gressenich shows the plate claimed including the smooth trip region provided parallel to the edge of the plate where a control sensor is provided to control a heating device thereto, but Gressenich does not explicitly show that the strip also corresponds to an area of a series of display modules for heating power or other information.

Goetz and Hoffmann show it is well known in the art to provide the display modules including heating powers and other information along with the control sensors to show the user the operating conditions of the device.

In view of Goetz or Hoffmann, it would have been obvious to one of ordinary skill in the art to adapt Gressenich with the strip corresponding to display modules including heating powers to allow the user to conveniently better control the operating conditions of the heating device.

7. Claims 18 and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gressenich et al (DE 196 33 706) in view of Kosmas et al (US 6,492,624).

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Gressenich shows the plate claimed except the boss or groove parallel to the strip or undulations facing at least one smooth region free of pegs.

Kosmas shows an upper surface wherein groove or undulation part is provided thereto to indicate the control and display section separate from other regions on the plate.

In view of Kosmas, it would have been obvious to one of ordinary skill in the art to adapt Gressenich with the groove, undulations or other indicative parts to indicate separate distinct sections in the plate for aesthetic appearances as well as to conveniently show different sections of the plate.

8. Claim 21 is rejected under 35 U.S.C. 103(a) as being unpatentable over Gressenich et al (DE 196 33 706) in view of Medwick et al (US 6,849,328).

Gressenich shows the plate claimed except a peelable transparent protective sheet made of polyethylene.

Medwick shows a peelable transparent protective sheet made of polyethylene that is applied to glass materials for protection against mechanical damages during handling.

In view of Medwick, it would have been obvious to one of ordinary skill in the art to adapt Gressenich with the claimed protective sheet to the glass ceramic plate including the smooth region and any other regions to insulate the plate from damages during handling.

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sang Y. Paik whose telephone number is 571-272-4783. The examiner can normally be reached on M-F (9:00-4:00) First Friday Off.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robin Evans can be reached on 571-272-4777. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Sang Y Paik
Primary Examiner
Art Unit 3742

syp